

9-208. Criminal summons.

*[For use with District Court Rules 5-208 NMRA, 5-209 NMRA,
Magistrate Court Rules 6-204 NMRA, 6-205 NMRA,
Metropolitan Court Rules 7-204 NMRA, 7-205 NMRA and
Municipal Court Rules 8-203 NMRA, 8-204 NMRA]*

STATE OF NEW MEXICO
[COUNTY OF _____]
[CITY OF _____]
_____ COURT

[STATE OF NEW MEXICO]
[COUNTY OF _____]
[CITY OF _____]

v.

No. _____

_____, Defendant

CRIMINAL SUMMONS

To: _____ (*Defendant*)

_____ (*Address*)

You are notified that a complaint, a copy of which is attached hereto, has been filed in this court charging that you committed the offense of _____
_____ (*common name and description of offense charged*).

You are ordered to appear before the undersigned on the _____ day of _____, _____, at [a.m.] [p.m.] at _____ in the [County of _____] [City of _____] State of New Mexico, to plead to

the above charge(s).

If you fail to appear at the time and place specified, a warrant will be issued for your arrest.

Service of this summons shall be by: *(personal service) (mail)*.

Judge or Clerk

Name of the Law Enforcement entity
Filing the Criminal Complaint

BY: _____

Prosecuting Attorney
Law Enforcement Officer

Address

CERTIFICATE OF MAILING

I certify that I mailed a copy of the summons and a copy of the complaint in the above-styled
cause to the defendant at the above address on the ____ day of _____, ____.

Signature

Title *(if any)*

Date

RETURN

STATE OF NEW MEXICO)
) ss.
COUNTY OF _____)

(check one box and fill in appropriate blanks)

(if full-time salaried law enforcement officer)

☐ I certify that I served the above Summons on _____ this _____ day of _____, _____, by delivering a copy thereof, with copy of complaint attached, in the [county] [municipality] named above in the following manner:

☐ I, _____, being duly sworn, upon my oath, say that I am over the age of eighteen (18) years and that I served the within summons on the _____ day of _____, _____, by delivering a copy thereof, with a copy of complaint attached, in the [county] [municipality] named above in the following manner:

(check one box and fill in appropriate blanks)

☐ to the defendant

(if the defendant was absent)

☐ to _____ *(name of person)*, a person over the age of fifteen

(15) residing at the usual place of abode of defendant

(if no person is found at defendant's dwelling)

[] by posting a copy on the _____ *(describe place -- most public part of premises)*

(if a corporation)

[] to _____ *(name of officer and title)* of
_____ *(corporation)*

Signature [of Affiant]
of Person Making Service

Title *(if any)*

*Subscribed and sworn to before
me this _____ day of _____
_____, _____.

Judge, Notary Public or
Other Officer Authorized
to Administer Oaths

Official Title

If Notary Public:
My commission expires: _____

*If service is made by a full-time salaried law-enforcement officer, the signature of such officer need not be notarized.

[As amended, effective July 1, 1988 and January 1, 1990.]